

## Railroad Retirement Board

## § 219.3

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### Subpart A—General Evidence Requirements

#### § 219.1 Introduction.

As described in parts 216 (Eligibility for an Annuity), 234 (Lump-Sum Payments), and 222 (Family Relationships), certain requirements must be met before benefits may be paid under the Railroad Retirement Act. This part contains the basic rules for evidence that is required to support a claimant's claim for monthly or lump-sum benefit payments under the Railroad Retirement Act. Part 219 describes when evidence is required and what types of documents can be used as evidence. Part 222 defines and explains family relationships for which evidence requirements are stated in part 219. Special evidence requirements for disability annuities are found in part 220 of this chapter.

#### § 219.2 Definitions.

As used in this subpart—

*Annuity* means a recurring payment due an entitled person for a calendar month and made to him or her on the first day of the following month.

*Apply* means to sign a form or statement that the Board accepts as an application.

*Claimant* means the person who files an application for an annuity or lump-sum payment for himself, herself, or some other person.

*Benefit* means any employee annuity, spouse annuity, survivor annuity, or lump-sum payment under the Railroad Retirement Act.

*Convincing evidence* means one or more pieces of evidence that proves to the satisfaction of the Board that an individual meets a requirement for eligibility for benefits. See § 219.7 for guides the Board uses in deciding whether evidence is convincing.

*Eligible* means that a person meets all of the requirements for payment of benefits but has not yet applied therefor.

*Entitled* means that a person has applied for and has proved his or her right to payment of benefits.

*Evidence* means any record or document or testimony that helps to show whether a person is eligible for benefits. It may also be used to establish whether the person is still entitled to benefits.

*Representative* means a person who acts on behalf of a claimant in regard to his or her claim for benefits from the Board and in the presentation of evidence to support the claim.

#### § 219.3 When evidence is required.

(a) *To prove initial eligibility.* The Board will ask for evidence to prove a claimant is eligible for benefits when he or she applies for benefits. Usually the Board will ask the claimant to furnish specific kinds of evidence or information by a certain date to prove initial eligibility for benefits. If evidence or information is not received by that date, the Board may decide that the claimant is not eligible for benefits and will deny his or her application.

(b) *To prove continued entitlement.* After a claimant establishes entitlement to an annuity, the Board may ask that annuitant to produce by a certain date information or evidence needed to decide whether he or she may continue to receive an annuity or whether the annuity should be reduced or stopped. If the information is not received by